

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	NO. 3:16-CR-194
	:	
v.	:	(Judge Richard Caputo)
	:	
FUHAI LI,	:	
	:	
Defendant	:	

ORDER

AND NOW, this _____ day of _____, 2018, upon consideration of Fuhai Li's MOTION FOR JUDGEMENT OF AQUITTAL, **IT IS HEREBY ORDERED AND DECREED** that the motion is **GRANTED** and this Honorable Court grants an Acquittal in the above matter or in the alternative, grants a new trial.

BY THE COURT:

Honorable A. Richard Caputo, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	NO. 3:16-CR-194
	:	
v.	:	(Judge Richard Caputo)
	:	
FUHAI LI,	:	
	:	
Defendant	:	

MOTION FOR JUDGEMENT OF ACQUITTAL

AND NOW COMES, the Defendant, Fuhai Li, by and through his attorney, William Ruzzo, Esquire, seeks this Court to vacate a verdict of guilty and award him a new trial. In support of his motion, submits the following:

1. That the evidence presented by the government at trial was insufficient to convict him or the verdict was unreasonable given total evidence presented at trial.
2. That the defense moved for a judgement of acquittal at the close of the government case and again at the close of all evidence.
3. That Federal Rule of Evidence 29(a) provides for a challenge of sufficient evidence and Rules 29(d) and 33 provides for a Defendant's motion for new trial.
4. That the Defendant supports his motion with a legal memorandum filed with this motion.

Wherefore, after consideration of Defendant's motion and accompanying memorandum, this Court should either enter a judgement of acquittal or in the alternative Order a new trial.

Respectfully submitted:

/s/ William Ruzzo

William Ruzzo, Esquire
Pennsylvania Attorney I.D. #75865
590 Rutter Avenue
Wilkes Barre PA 18704
Telephone: (570) 288-7799
Facsimile: (570) 288-7798

Dated: June 18, 2018

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	NO. 3:16-CR-194
	:	
v.	:	(Judge Richard Caputo)
	:	
FUHAI LI,	:	
	:	
Defendant	:	

CERTIFICATE OF SERVICE

I, **WILLIAM RUZZO, ESQUIRE**, hereby certify that on the 18th day of June 2018, I caused the foregoing DEFENDANT'S **MOTION FOR JUDGEMENT OF ACQUITTAL** via the Court's ECF system on all counsel of record as authorized under Federal Rule 5(b)(2)(E) and local rule 5.6 of the United States District Court for the Middle District of Pennsylvania. I further certify that all counsel of record in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system:

Michelle Olshefski, Esquire
Assistant U.S. Attorney
U.S. Attorney's Office, Suite 311
235 North Washington Avenue
Scranton, Pennsylvania 18503
Email: Michelle.Olshefski@usdoj.gov

Respectfully submitted:

/s/ William Ruzzo

William Ruzzo, Esquire
Pennsylvania Attorney I.D. #75865
590 Rutter Avenue
Wilkes Barre PA 18704
Telephone: (570) 288-7799
Facsimile: (570) 288-7798

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	CR. NO. 3:16-CR-00312-1-JMM
	:	
Plaintiff	:	
v.	:	(Honorable James Munley)
	:	
Mark Cook a/k/a “Lucky”,	:	
	:	
Defendant	:	

CERTIFICATE OF CONCURRENCE

Undersigned counsel has contacted Assistant U.S. Attorney Michelle Olshefski, who does not concur with the within Motion.

Respectfully submitted:

/s/ William Ruzzo

William Ruzzo, Esquire
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Wilkes Barre PA 18704
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